

Assembly Bill No. 1457

CHAPTER 532

An act to amend Section 1599.64 of, and to add Section 1599.645 to, the Health and Safety Code, relating to long-term health care facilities.

[Approved by Governor October 11, 2009. Filed with
Secretary of State October 11, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1457, Davis. Long-term health care facilities: admission contracts.

Existing law requires specified information to be included on the admission contract or abbreviated contract of admission when a patient is admitted to a long-term health care facility.

This bill would add the requirement that the abbreviated contracts of admission and contracts of admission for a skilled nursing facility have an attachment that discloses the name of the owner and licensee and the name and contact information of a single entity that is responsible for all aspects of patient care and operation at the facility.

This bill would require a skilled nursing facility to provide the department with prescribed notice within 30 days of approval of a change of ownership.

The people of the State of California do enact as follows:

SECTION 1. Section 1599.64 of the Health and Safety Code is amended to read:

1599.64. (a) All abbreviated contracts of admission and contracts of admission shall be printed in black type of not less than 10-point type size, on plain white paper. The print shall appear on one side of the paper only.

(b) The contract shall be written in clear, coherent, and unambiguous language, using words with common and everyday meanings. It shall be appropriately divided, and each section captioned.

(c) The contract for a skilled nursing facility shall have an attachment that is placed before any other attachment and that shall disclose the name of the owner and licensee of the skilled nursing facility and the name and contact information of a single entity that is responsible for all aspects of patient care and the operation of the facility.

(d) An abbreviated contract of admission shall include a statement indicating that respite care services, as defined in Section 1418.1, provided by the skilled nursing facility or intermediate care facility is not a Medi-Cal covered service and can only be provided by the facility on a private-pay or third-party payor basis, unless the person is participating in a Medicaid

waiver program pursuant to Section 1396n of Title 42 of the United States Code, or other respite care service already covered by the Medi-Cal program.

(e) An abbreviated contract of admission shall specify the discharge date agreed to upon admission by the skilled nursing facility or intermediate care facility and the person being admitted or his or her representative. This discharge date shall be binding as a ground for discharge in addition to any other ground for discharge pursuant to federal or state law and regulations.

(f) An abbreviated contract of admission shall include a statement informing the person being admitted for respite care services that the contract is designed specifically for the provision of respite care services and cannot be used for any other type of admission to the facility.

SEC. 2. Section 1599.645 is added to the Health and Safety Code, immediately following Section 1599.64, to read:

1599.645. (a) Within 30 days of approval of a change of ownership by the California Department of Public Health, the skilled nursing facility shall send written notification to all current residents and patients and to the primary contacts listed in the admission agreement of each resident and patient. The notice shall disclose the name of the owner and licensee of the skilled nursing facility and the name and contact information of a single entity that is responsible for all aspects of patient care and the operation of the facility.

(b) The Department shall accept a copy of the written notice and a copy of the list of individuals and mailing addresses to whom the facility sent the notification as satisfactory evidence that the facility provided the required written notification.